

2. A separation of beliefs and doctrines by persons of the same organized religion, religious denomination, or sect.

"It has been held that the civil courts are not concerned with mere schisms stemming from disputations over matters of religious doctrine, not only because such questions are essentially ecclesiastical rather than judicial, but also because of the separation between the church and the state . . . . However, it has also been held that the situation is different in the case of self-governing congressional churches, for here the courts do not hesitate to assume jurisdiction when a schism affects property rights, for in this form . . . each local congregation is independent and autonomous and there is no recourse within the denomination." 66 Am. Jur. 2d *Religious Societies* § 51, at 804 (1973).

**school, n.** (bef. 12c) 1. An institution of learning and education, esp. for children.

"Although the word 'school' in its broad sense includes all schools or institutions, whether of high or low degree, the word 'school' frequently has been defined in constitutions and statutes as referring only to the public common schools generally established throughout the United States . . . . When used in a statute or other contract, 'school' usually does not include universities, business colleges, or other institutions of higher education unless the intent to include such institutions is clearly indicated." 68 Am. Jur. 2d *Schools* § 1, at 355 (1993).

► **common school.** See *public school*.

► **district school.** (18c) A public school contained in and maintained by a school district. See *SCHOOL DISTRICT*.

► **private school.** (16c) A school maintained by private individuals, religious organizations, or corporations, funded, at least in part, by fees or tuition, and open only to pupils selected and admitted based on religious affiliations or other particular qualifications.

► **public school.** (16c) An elementary, middle, or high school established under state law, regulated by the local state authorities in the various political subdivisions, funded and maintained by public taxation, and open and free to all children of the particular district where the school is located. — Also termed *common school*.

2. The collective body of students under instruction in an institution of learning. 3. A group of people adhering to the same philosophy or system of beliefs.

**school board.** (1833) An administrative body, made up of a number of directors or trustees, responsible for overseeing public schools within a city, county, or district. Cf. *BOARD OF EDUCATION*.

**school bond.** See *BOND* (3).

**school district.** (18c) An area within a particular state demarcated for the governance of all the public schools within that area; specif., a political subdivision of a state, created by the legislature and invested with local powers of self-government, to build, maintain, fund, and support the public schools within its territory and to otherwise help the state administer its educational responsibilities.

► **consolidated school district.** (1918) A public-school district in which two or more existing schools have consolidated into a single district.

**school land.** See *LAND*.

**school voucher.** See *TUITION VOUCHER*.

**Schumer box.** (1988) In a credit-card agreement, a table that summarizes all the costs for which the cardholder is liable, so that the cardholder can more easily compare credit-card agreements. • The term derives from the

name of Senator Charles Schumer, who proposed the disclosure requirements. The box must contain the information listed in 15 USCA §§ 1637(c)(1)(A)–(B). — Also termed *Schumer's box*.

**Science and Technology Directorate.** (2003) The primary division of the Department of Homeland Security responsible for coordinating research and development, including preparing for and responding to terrorist threats involving weapons of mass destruction. • The Directorate also works with the Chemical, Biological, Radiological, and Nuclear Countermeasures Program and the Environmental Measurements Lab in the Department of Energy, the National BW (biological warfare) Defense Analysis Center in the Department of Defense, and the Plum Island Animal Disease Center — Abbr. S&T.

**science of legislation.** See *LAW REFORM*.

**sciendum est** (sī-en-dəm est). [Latin] (16c) *Roman law*. It is to be known or understood. • This phrase often introduced a particular topic or explanation.

**sciens et prudens** (sī-enz et proo-denz). [Latin] (18c) *Hist.* In full knowledge and understanding.

**scienter** (sī-en-tər or see-), *n.* [Latin "knowingly"] (1824)

1. A degree of knowledge that makes a person legally responsible for the consequences of his or her act or omission; the fact of an act's having been done knowingly, esp. as a ground for civil damages or criminal punishment. See *KNOWLEDGE*; *MENS REA*. 2. A mental state consisting in an intent to deceive, manipulate, or defraud. • In this sense, the term is used most often in the context of securities fraud. The Supreme Court has held that to establish a claim for damages under Rule 10b-5, a plaintiff must prove that the defendant acted with scienter. *Ernst & Ernst v. Hochfelder*, 425 U.S. 185, 96 S.Ct. 1375 (1976). 3. The clause in an indictment or other pleading charging a defendant with knowledge that gives rise to criminal or civil liability for an act.

**scienter action.** (1937) A lawsuit in which the plaintiff must prove that the defendant acted knowingly or knew of the danger — e.g., at common law an action for damage caused by a domestic animal. See *SCIENTER*.

**scientific creationism.** See *CREATIONISM*.

**scientific evidence.** See *EVIDENCE*.

**scientific jurisprudence.** See *JURISPRUDENCE*.

**scientific knowledge.** See *KNOWLEDGE* (1).

**scientific method.** (1854) The process of generating hypotheses and testing them through experimentation, publication, and replication. • Evidence that purports to be scientific is "ground[ed] in the methods and procedures of science." *Daubert v. Merrell Dow Pharm.*, 509 U.S. 579, 590 (1993). A great deal of debate has surrounded the question whether there is only one type of "scientific method," and precisely how the phrase should be defined. Generally, scientists agree that "[k]nowledge is produced through a series of steps during which data are accumulated methodically, strengths and weaknesses of information are assessed, and knowledge about causal relationships are inferred. . . . Hypotheses are developed, are measured against data, and either supported or refuted. Scientists continually observe, test, and modify the body of knowledge. Rather than claiming absolute truth, science approaches truth either through